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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,	Adv. Pro. No. 08-01789 (SMB)
Plaintiff-Applicant,	SIPA LIQUIDATION
v.	(Substantively Consolidated)
BERNARD L. MADOFF INVESTMENT SECURITIES LLC,	
Defendant.	
In re:	
BERNARD L. MADOFF,	
Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,	
Plaintiff,	Adv. Pro. No. 10-04792 (SMB)
v.	
KENNETH H. LANDIS and ROSALIND LANDIS,	
Defendants	

NOTICE OF MEDIATOR SELECTION

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the "Order")[1] [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* ("SIPA"), and the substantively consolidated estate of Bernard L. Madoff individually ("Madoff"), in this Adversary Proceeding on November 10, 2010 [Dkt. No.10-04792], the Order and the avoidance procedures contained therein (the "Avoidance Procedures") are applicable to the instant matter.

Pursuant to the Avoidance Procedures, on January 5, 2015 the Trustee filed with this Court the Notice of Mediation Referral [Dkt. No. 04792], wherein the Trustee and Defendants (the "Parties") jointly agreed to enter mediation after the completion of discovery without further court order.

Through this Notice of Mediator Selection, and pursuant to the Avoidance Procedures and the Mediation Order, made applicable to the Parties upon the filing of the Notice of Mediation Referral, the Parties hereby mutually select from the Mediation Register Melanie L. Cyganowski, from the law firm of Otterbourg, Steindler, Houston & Rosen. P.C. to act as Mediator in this matter. The Parties further agree to contact Melanie L. Cyganowski as soon as practicable after this Notice of Mediator Selection is filed with the Court.

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[1] All terms not defined herein shall be given the meaning ascribed to them in the Order.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Avoidance Procedures, the Parties agree that this mediation will conclude within 120 days from the date that this Notice of Mediator Selection is filed, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York
            February 3, 2015

/s/ Nicholas J. Cremona   /s/ Howard Kleinhendler
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